

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Morimasa WADA et al.**

Art Unit: **1792**

Application Number: **10/585,511**

Examiner: **Michael P. Wieczorek**

Filed: **July 10, 2006**

Confirmation Number: **4164**

For: **METHOD FOR MANUFACTURING POLARIZING FILM,
POLARIZING FILM OBTAINED BY THE METHOD, AND IMAGE
DISPLAY APPARATUS USING THE POLARIZING FILM**

Attorney Docket Number: **062577**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 27, 2009

Sir:

This paper is submitted in response to the Office Action dated July 31, 2009.

In the Office Action, Applicants are required to elect one of the following groups of claims for prosecution in this application:

- (I) claims 1-4 drawn to a method of manufacturing a polarizing film,
- (II) claims 5-6 drawn to a polarizing film,
- (III) claim 7 drawn to an optical film,
- (IV) claim 8 drawn to an image display apparatus.

Applicant(s) hereby elect(s) the subject matter of **Group (I), Claims 1-4** for prosecution in his application. This election is made **with traverse**, as set forth below. Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

The restriction requirement is respectfully traversed. US 2003/0062645 to Nishida et al (“Nishida”) relates to a method for manufacturing an oriented film, including a step of dry-stretching an un-oriented film. In the dry-stretching step of Nishida, the L/W value is set within a particular range (see Nishida claim 1). Nishida uses a dyed film as the film to be dry-stretched (see Nishida claim 3).

However, the film which is subjected to the dry-stretching step of Nishida is not a stretched film. Further, since the film to be dry-stretched by Nishida is an un-oriented film, it cannot be a stretched film.

In contrast, in the presently claimed invention, a method for manufacturing a polarizing film includes a drying step in which the L/W value is set within a particular range. Further, the film to be dried has been stretched and dyed, as recited in present claim 1. As a result, the presently claimed invention is completely different from Nishida both with respect to the type of film whose L/W is set and with respect to the type of steps. In particular, a person of ordinary skill in the art would have found no motivation or incentive, and no guidance or reasonable expectation of success, regarding whether and how to dry a stretched film and/or an L/W ratio for drying a stretching film. Therefore, claim 1 is not anticipated by Nishida, and not obvious over Nishida.

In view of the above, it is submitted that the restriction requirement should be withdrawn.

Application No. 10/585,511
Art Unit: 1792

Response to Restriction Requirement
Attorney Docket No. 062577

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/nicolas seckel/

Nicolas E. Seckel
Attorney for Applicants
Registration No. 44,373
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

NES/rep